

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

## MINUTES OF PROCEEDINGS AND ORDER – CIVIL

RU-EL SAILOR, ) CASE No. 1:20-cv-00660  
Plaintiff, )  
v. ) DATE: September 18, 2024  
CITY OF CLEVELAND, *et al.*, ) JUDGE DAVID A. RUIZ  
Defendants. ) COURT REPORTER: Shirle Perkins

Atorneys for Plaintiff:  
Marcus S. Sidoti  
Sarah J. Gelsomino

Attorney for Defendant City of Cleveland:  
Dylan F. Ford

Attorney for Defendants Eugene Jones; Henry Veverka; James Metzler; Harry Matlock; Andrew Desatnik; fnu Smith; Shair Hasan; Rick Farinacci; Andrea Purcell-Fields Executor of Estate of Deceased James Purcell; Kenneth A. Calderone

PROCEEDINGS: The Court held an in-person hearing on this date with the above counsel and Plaintiff Ru-el Sailor to address pending motions. The Court initially reviewed the pending motion by Plaintiff's counsel to withdraw, (R. 82), discussing it with all counsel. At the conclusion of that discussion, Plaintiff informed his counsel that he wanted to immediately discharge them. The Court thereupon questioned Plaintiff on the record as to whether this decision was made freely and with full knowledge of its consequences. Upon receiving Plaintiff's answers, the Court permitted Plaintiff to discharge his counsel and determined R. 82 is moot. Further, the Court then discussed Defendants' Motion to Dismiss, R. 88, which moves

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the Court to dismiss Plaintiff's case with prejudice for allegedly sanctionable conduct. The Court *sua sponte* granted Plaintiff an additional 90 days from the hearing to file a response to that motion, either through new counsel or pro se. **Plaintiff's response to Defendant's motion to dismiss is due on or before December 17, 2024.** The Court emphasized to Plaintiff that failure to respond to the motion to dismiss within that period may be construed as a basis for dismissing the action. The Court stated that all other deadlines set forth in the case management plan will be stayed while Plaintiff retains new counsel and/or responds to the motion to dismiss, with the Court to reassess the case management plan, if necessary, following the Plaintiff's above-mentioned response date.

Therefore, Plaintiff's counsels' Motion to Withdraw (R. 82) is denied as moot, and the additional request therein to "stay this matter for six months" is Denied. Plaintiff's Motion to Extend the Case Deadlines (R. 87) is Denied as moot, and Plaintiff's Motion to Stay Briefing and Deadlines Relating to Defendant's Motion to Dismiss (R. 90) is Denied.

IT IS SO ORDERED.

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Total Time: 28 minutes

s/ David A. Ruiz

David A. Ruiz  
U.S. District Judge

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